



December 27, 2011

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

For re-certification as an eligible IP-CTS, IP-Relay and Video Relay Services Provider pursuant to FCC Rule Section 64.605(A)(2) to receive reimbursement from the TRS Fund. CGB Docket 03-123.

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 0.459, Purple Communications, Inc. ("Purple") hereby requests confidential treatment for the confidential portions of the attached documents adding to our Application for Re-Certification as an Eligible Relay Provider. These portions of the Application contain company-specific, proprietary commercial information that is not routinely available for public inspection and is safeguarded from competitors. Accordingly, it should be protected from disclosure pursuant to 47 C.F.R. § 0.457(d) and Exemption 4 of the Freedom of Information Act, 5 U.S.C. § 552(b)(4). Below please find a statement of the reasons for withholding the materials from inspection as well as relevant facts surrounding this request.

1. Identification of the specific information for which confidential treatment is sought – Purple requests that the pages of the attached presentation that are marked "CONTAINS CONFIDENTIAL INFORMATION – NOT FOR PUBLIC INSPECTION" and that are redacted in the public version of the presentation be treated as confidential.

2. Identification of the Commission proceeding in which the information was submitted or a description of the circumstance giving rise to the submission – Purple is providing this information to the Commission for recertification as an eligible relay provider.

3. Explanation of the degree to which the information is commercial or financial or contains a trade secret or is privileged – The information at issue is highly confidential and specific to Purple. It details information related to Purple's financial, operations and technology structure and processes. This information is sensitive for competitive reasons. It is safeguarded from competitors and is not made available to the public. If this information is not protected, other VRS providers may utilize it to compete against Purple more effectively.

4. Explanation of the degree to which the information concerns a service that is subject to competition – This information concerns relay services which is subject to competition.

5. Explanation of how disclosure of the information could result in substantial competitive harm – The disclosure of this information could cause substantial competitive harm to Purple. Because other relay providers would have access to significant information regarding Purple's cost structure and current capabilities, they could use that information to compete more effectively against Purple and undermine Purple's position in the marketplace.

6. Identification of any measures taken by the submitting party to prevent unauthorized disclosure – Purple routinely treats this information as highly confidential and takes significant care to ensure that it is not disclosed to its competitors.

7. Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties – Purple does not make this information available to the public, and this information has not been previously been disclosed to third parties.

8. Justification of the period during which the submitting party asserts that the material should not be available for public disclosure – Purple requests that this information be treated confidential on an indefinite basis because it cannot identify a certain date at which this information could be disclosed without causing competitive harm to Purple.

9. Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted – This information is being provided to enable the FCC to perform due diligence in granting Purple recertification as a relay service provider. Should the Commission publicly disclose this information, providers will be discouraged from voluntarily submitting such information, thus depriving the Commission of data necessary for identifying bona fide relay service providers and granting them certification.. As a result, because disclosure is likely to impair the government's ability to obtain important information in the future, confidential treatment should be granted to this information. *See National Parks and Conservation Ass'n v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974).

If a request is submitted for disclosure of this information, please provide sufficient notice to the undersigned to allow Purple to take appropriate steps to safeguard the confidentiality of the information. In addition, should this request for confidentiality be denied, Purple requests that this information be returned by the Commission without consideration.

If there are any questions regarding this request, please do not hesitate to contact me.

Sincerely,

/s/

Kelby Brick, Esq.

Vice President, Regulatory & Strategic Policy